

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 19, 22-25, 32-35, 37-40, 58-68, and 70-99 are presently active in this case, Claims 19, 22, 32, 33, 37, 60, 63, 70, 75, 77, 79-81, 87, 89, and 90 having been amended and Claims 91-99 having been added by way of the present Amendment.

Claims 34, 35, 61, 65-67, 76, 83-85, and 88 were indicated as being allowed.

The Applicants want to thank Primary Examiner Henry Tsai for the courtesies extended to Applicants' representative, Christopher Ward, during the personal interview conducted on July 27, 2004. The amendments set forth herein are believed to present the claims in the manner discussed during the personal interview.

In the outstanding Official Action, Claims 19, 23-25, 59, 60, 68, and 71-75 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The specific grounds for rejection are recited on page 2 of the Official Action. Claims 19 and 68 have been amended to remove the recitation of "at least one edge corner." The Applicants submit that pending Claims 19 and 68 are clear and definite. Accordingly, the Applicants request the withdrawal of the indefiniteness rejections.

Claims 32, 33, 37-40, 58, 62, and 63 were rejected under 35 U.S.C. 102(b) as being anticipated by Satran et al. (U.S. Patent No. 5,718,540). Claims 19, 22-25, 59, 60, 64, 68, 70-75, 77-82, 86, 87, 89, and 90 were rejected under 35 U.S.C. 103(a) as being unpatentable over Satran et al. in view of Striegl (U.S. Patent No. 4,182,587). For the reasons discussed below, the Applicants request the withdrawal of the art rejections.

Claims 19, 22, 32, 68, 70, and 77 all recite, among other features, a tip comprising a

first straight cutting edge, a second straight cutting edge, and a third straight cutting edge, where the second cutting edge is at an angle of less than  $90^\circ$  with the first cutting edge, and the third cutting edge is at an angle of less than  $90^\circ$  with the second cutting edge. However, the Applicants respectfully submit that neither of the cited references, either taken alone or in combination, disclose nor suggest a tip having a straight cutting edge that is at an angle of less than  $90^\circ$  with respect to two other cutting edges.

The Official Action cites the Satran et al. reference for the teaching of a cutting insert having a first corner 6' (the corner located between lateral portion 5'b and lateral portion 5'c in Figure 7) and a second corner 6' (the corner located between another of lateral portion 5'b and lateral portion 5'c). The Official Action cites these corners 6' as being less than  $90^\circ$ . The claims at issue have been amended to refer to straight cutting edges. Accordingly, the Applicants note that the central cutting edge portions 5'a are provided at  $90^\circ$  from each other. Thus, as agreed during the personal interview, the Satran reference does not disclose the cutting edge configurations recited in amended Claims 19, 22, 32, 68, 70, and 77.

Furthermore, with respect to Claims 19, 22, 68, 70, and 77, the Applicants submit that the Striegl does not supplement the deficiencies noted above with regard to the Satran et al. reference. More specifically, the cutters depicted in Figures 7 and 10 of the Striegl reference include two opposite corners that are less than  $90^\circ$  and two opposite corners that are greater than  $90^\circ$ . Accordingly, the Striegl reference does not disclose a tip having a straight cutting edge that is at an angle of less than  $90^\circ$  with respect to two other cutting edges, as was agreed during the personal interview.

Additionally, with regard to the combination of the Satran et al. reference and the Striegl reference in the obviousness rejection, the Applicants respectfully submit that one of ordinary skill in the art would not have been motivated to combine those references together,

since the cited references are related to distinct fields of art. More specifically, the Satran et al. reference is directed to an exchangeable cutting insert adapted for mounting in a cutter tool body for use in combined face and periphery milling operations. To the contrary, the Striegl reference directed to a distinctly different type of cutting insert, namely an "on-edge" type cutting insert. The orientation of the inserts in the Satran et al. reference is such that the front face of the insert extends generally along a radial axis extending from the axis of the cutting tool, while the on-edge insert of the Striegl reference has an orientation in which the front face of the insert is perpendicular to a radial axis extending from the axis of the cutting tool. Thus, the design of the working cutting edges of the Striegl reference are vastly different from the design of the working cutting edges of the Satran et al. reference, and one of ordinary skill in the art would not look to the teachings of the Striegl reference in order to modify the insert of the Satran et al. reference in the manner set forth in the obviousness rejection.

Thus, for at least the above reasons, the Applicants respectfully request the withdrawal of the art rejections of Claims 19, 22, 32, 68, 70, and 77.

Claims 23-25, 59, and 60 are believed to be in condition for allowance for the reasons discussed above for Claim 19, from which they depend. Claims 33, 37-40, 58, 62-64, and 90 are believed to be in condition for allowance for the reasons discussed above for Claim 32, from which they depend. Claims 71-75 are believed to be in condition for allowance for the reasons discussed above for Claim 68, from which they depend. Claims 78-82, 86, 87, and 89 are believed to be in condition for allowance for the reasons discussed above for Claim 77, from which they depend.

Furthermore, with regard to Claim 62, the Satran et al. reference does not depict a tip having two opposing long cutting edges and two opposing short cutting edges.

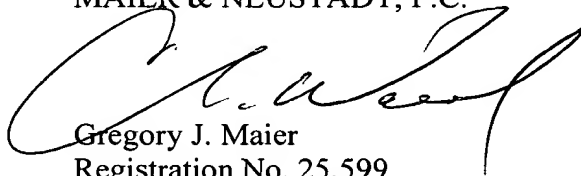
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Newly added Claims 91-99 are considered allowable as they recite features of the invention that are neither disclosed nor suggested by the references of record. Claims 91-96 are allowable for at least the reasons submitted for the claims from which they depend. Claim 97 recites language similar to allowed Claim 34 without the word "adjacent" before the limitation "second corner." Claims 98 and 99 are believed to be allowable as the cited references fail to disclose a tip having the corner angle configurations recited therein.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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